University Alcohol Policy

Major Topics

- Entities Affected
- Policy
- Definitions
- Authorized and Prohibited Uses of Alcohol
- Serving and Sale of Alcoholic Beverages
- University Facilities where Alcohol is Permitted (with approval)
- Applicable State Laws

I. Introduction

This regulation establishes the University's policies and procedures for using, serving, and selling alcoholic beverages on property owned, leased, or controlled by the University, and at University events.

The University is committed to providing a healthy and safe workplace for all members of the University community. The possession and consumption of alcoholic beverages is controlled by Kentucky law, local ordinances, and University regulations. All members of the University community shall abide by these laws and regulations.

The policies and procedures for issues related to employee (student employees, faculty and staff) substance abuse are found in Human Resources Policy and Procedure Number 14.0. The policies and procedures related to student organizations and the students’ substance abuse, including alcohol abuse, are found in the Code of Student Conduct and applicable contracts such as housing contracts.

II. Entities Affected

This Administrative Regulation applies to all members of the University community, including faculty, staff, students, and visitors.

III. Policy
The University of Kentucky prohibits the use, serving, or sales of alcoholic beverages on University property and at University events and activities, except as specifically authorized by this regulation.

**IV. Definitions**

A. **Alcoholic Beverages**

Alcoholic beverages shall have the same meaning and definition as provided by the laws of the Commonwealth in Kentucky Revised Statutes.

B. **Employee**

Employee means any person defined as an employee in Human Resources Policy Number 4.0, including student employees, and shall mean employees acting within the course and scope of employment. Employee shall not mean a volunteer or independent contractor.

C. **Student**

Student means an individual enrolled in any credit- or noncredit-bearing course or participating in any academic program administered by the University.

D. **University Student Housing**

University Student Housing means all places of residence owned or leased by the University in which students reside.

E. **University Property**

University property means any real property, buildings, and facilities under the primary control of the University through ownership, lease or other means. For purposes of this regulation, University property does not include property, buildings, or facilities leased by the University to a private company on a long-term lease, such as properties on Coldstream Research Campus, or to leased suites at Commonwealth Stadium.

F. **Visitor**

Visitor means any person on University property who is neither an employee nor a student.

G. **Caterer**

Caterer means a vendor on the Purchasing Division’s approved caterer list and holding an appropriate liquor license.

H. **University Events**

University events are events, functions, programs, and other activities that:

1. Occur on University property; or
2. Are sponsored by the University; or
3. Are promoted, advertised or recognized as a University activity; or
4. Are paid for through use of any University funds.
V. Authorized and Prohibited Uses of Alcohol

A. Use of alcoholic beverages on University property and at University events shall not violate any law or any University regulation.

B. Alcoholic beverages are not permitted in classrooms, laboratories, and offices.

C. Alcoholic beverages are prohibited in undergraduate housing leased from or supervised by the University. This includes residence halls, fraternities, sororities, and the undergraduate sections of University apartments. This restriction promotes and maintains an environment conducive to study for residents, the vast majority of whom are under twenty-one years of age.

D. House corporations which supervise Greek chapter houses on property leased from the University shall establish house rules consistent with Kentucky law, local ordinances, and University regulations and are responsible for ensuring compliance by house residents. Violation of the terms of the lease or University regulations may result in termination of the lease.

E. Registered student organizations shall comply with University regulations and with state and local laws regarding the conduct of members and guests at all times. For social occasions, student organizations shall abide by the Guidelines for Event Planning at the University of Kentucky published by the Dean of Students. http://www.uky.edu/Student_Affairs/Greek/evntplan.pdf

During social events, student officers shall be accountable for compliance by members and guests. Violation of this regulation may result in discipline of the organization under the Code of Student Conduct, including withdrawal of student organization registration.

F. Alcoholic beverages are prohibited at University athletic events, except as provided in Sections VI and VII of this regulation.

G. Alcoholic beverages are permitted in graduate student apartments and houses, married student housing, and non-student residential housing, provided such use does not violate any law or University regulation.

VI. Serving and Sales of Alcoholic Beverages

A. The Provost or appropriate executive vice president may authorize the serving or sale of alcoholic beverages on University property or at University events, provided that such use does not violate any law or University regulation and meets all of the requirements of this Administrative Regulation.

Written requests shall be directed to the Provost or appropriate executive vice president, with a copy sent to the Office of Legal Counsel. In addition, reservation of any facility is subject to approval of the University official responsible for the facility, and reservations are subject to University regulations on facilities.

B. Approved events at which alcohol beverages are served or sold shall meet the following requirements:

1. Be a private event and not open to the public;

2. Be an event for which tickets have been sold or invitation or membership is required;

3. Be held at a designated space in one of the facilities listed in Section VII below or inside another specifically designated and approved space, and
4. Be an event where the majority of the attendees are age twenty-one and above.

C. The sponsor of the event shall take affirmative steps to ensure that persons under the age of twenty-one are not served alcohol.

D. A caterer officially approved by the UK Purchasing Division, and licensed and in good standing with the Kentucky Alcohol Beverage Control Board, shall be responsible for the serving and sale of the alcoholic beverages on University property or at University events.

E. The sponsor of the event shall present a copy of the alcohol license to the University official that is responsible for the facility.

F. The caterer shall be insured for the event either through a rider to an existing policy or through the purchase of event insurance coverage. Such coverage shall include naming of the University as an additional insured party and shall be in an amount determined by the Executive Vice President for Finance and Administration.

G. If the sponsor of the event is an off-campus organization or business, the sponsor shall sign a statement that the University, its Board of Trustees, and the University’s agents, officers, and employees shall be held harmless for any accident, death or injury to life or property that might be found attributable to the event.

H. The serving or sale of alcoholic beverages at any official University event that is held at a personal residence or other off-campus private facility, shall comply with all aspects of this regulation. This includes using a caterer officially approved by UK Purchasing to serve or sell the alcohol. Direct payment or reimbursement to individuals will not be made for purchases or sales of alcohol in violation of this regulation. (See BPM E-7-10, Discretionary Policy, and BPM B-3-2, Payment Request Document (BPM B-3-2))

VII. University Facilities where Alcoholic Beverages are Permitted

Generally, alcoholic beverages are not served or sold in academic facilities. However, upon approval of the Provost or appropriate executive vice president, and in accordance with the requirements of this regulation, alcoholic beverages may be served or sold in the following University facilities:

1. A facility leased by the University to a corporation holding a valid alcohol license, including but not limited to the Boone Center (formerly known as the Faculty Club) and Spindletop Hall Club;

2. Private residences such as Maxwell Place, the private homes of farm workers and managers, and residences at College of Agriculture Cooperative Extension Service off-campus property;

3. King Alumni House;

4. Commonwealth Stadium suites and leased spaces/facilities;

5. Nutter Fieldhouse, Multipurpose Room;

6. UK/LFUCG Arboretum;

7. Singletary Center for the Arts;

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1 Alcohol is permitted in Commonwealth Stadium suites and other leased spaces/facilities in accordance with the terms of the lease agreement.
8. Main Building;

9. Coldstream Research Campus;

10. E.S. Goodbarn; and

11. The following designated areas of UK HealthCare:
   a. Chandler Hospital Courtyard and pre-function area adjacent to auditorium,
   b. Markey Board Room and adjacent area,
   c. Conference Room 317A, Wethington Building, after 5:00 pm, or weekends,
   d. Good Samaritan Board Room, after 5:00 pm, or weekends, and
   e. Conference Room 1st floor, College of Medicine Dean’s Office, 138 Leader Avenue, after 5:00 pm or weekends.

References and Related Materials

HRP&P 4.0, Employee Status
HRP&P 14.0, Substance Abuse
BPM E-7-10, Discretionary Policy
BPM B-3-2, Payment Request Document (BPM B-3-2 not yet final)
Code of Student Conduct

Revision History


For questions, contact: Office of Legal Counsel
Appendix

Kentucky Statutes Applicable to the Use of Alcoholic Beverages

1. It is unlawful for a retail licensee to sell, give, purchase, or procure any alcoholic beverage for anyone under twenty-one years of age. (See KRS 244.080)

2. It is unlawful for a person to possess or consume alcoholic beverages when under twenty-one years of age. (See KRS 244.085)

3. It is unlawful for anyone under twenty-one years of age to misrepresent his or her age for the purpose of purchasing alcoholic beverages. (See KRS 244.085)

4. It is unlawful for anyone under twenty-one years of age to use or attempt to use any false, fraudulent or altered identification card, paper, or other document to purchase any alcoholic beverage. (See KRS 244.085)

5. It is unlawful for anyone to aid or assist any person under 21 years of age in purchasing, or having delivered or served to him or her, any alcoholic beverages. (See KRS 244.085)

6. It is unlawful for anyone to drink or be under the influence of any alcoholic beverage in public place(s). (See KRS 525.100)

(a) "Public place" means a place to which the public or a substantial group of persons has access and includes but is not limited to highway and transportation facilities, schools, places of amusement, parks, places of business, playgrounds, and hallways and lobbies and other portions of apartment houses and hotels not constituting rooms or apartments designed for actual residence. (See KRS 525.010)

(b) The Attorney General has written: A state university campus is a "public place" and the school buildings located thereon are public buildings, so that the drinking of alcoholic beverages on the campus or in the buildings is a violation of law. (OAG 74-39)

(c) The Attorney General also has written: A dormitory room on a state university campus is not a "public place" within the definition found in KRS 525.010. (OAG 87-11)

(d) The Attorney General has written further: It must be remembered that this opinion does not concern or affect the landlord tenant relationship between state universities and their student dormitory residents. As landlords, state universities continue to have the authority to include as a term of the dormitory room rental agreement a prohibition as to or restrictions on the consumption of alcoholic beverages within the premises leased, even though the student resident may be 21 years or older. (OAG 87-11)